

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

704 KAR 3:305, Minimum Requirements for High School Graduation (First Reading; To implement SB 43 on alternative high school diploma)

Applicable Statute or Regulation:

KRS 156.060, KRS 156.070, KRS 158.645, KRS 158.6451, 704 KAR 3:303

History/Background:

Existing Policy. In 2006, the Kentucky Board of Education (KBE) voted to accept proposed changes to 704 KAR 3:305, Minimum Requirements for High School Graduation. One change approved by the KBE changed the name of the certificate of completion to a certificate of attainment for those students not meeting the graduation requirements set forth in 704 KAR 3:305 and participating in the alternate assessment program. Stakeholders recommended this change in order to indicate that students earning this recognition have not just completed school but have attained knowledge and skills as a result of their educational experience.

In February 2012, the Kentucky General Assembly passed SB 43, which amends KRS 156.060 to require the Kentucky Board of Education to promulgate administrative regulations for an alternative high school diploma for students with disabilities participating in the alternate assessment program.

The sponsor of this legislation, Senator Parrett, explained the rationale for the legislation to be that students currently receiving certificates of attainment are working as hard, if not harder, than students who earn a standard diploma, and they are demonstrating learning on alternate achievement standards. Therefore, Parrett indicated these students should receive a diploma, even if it is not a standard diploma. Also, concerned citizens, some of whom are parents of students who have earned certificates of attainment, have shared with the department and legislators the concern that an unintended barrier to postsecondary success is created when their children exit high school with a certificate of attainment as opposed to a diploma. These concerned citizens noted that some children have been unable to obtain jobs without the benefit of a diploma.

This change has the potential to impact about 4000 students participating in the alternate assessment, about 400 of which graduate each year with certificates of attainment. students earning even certificates of attainment do not increase a school's graduation rate nor would they with the name change to alternative high school diploma. Under 34

C.F.R. §200.19(b)(1)(iv), a “regular high school diploma” means the standard high school diploma awarded to students in a state that is fully aligned with the state’s academic content standards and does not include a GED credential, certificate of attendance, or any alternative award. Therefore, per federal law, the alternative high school diploma will not count positively toward a district’s graduation rate as it is not fully aligned with the state’s academic content standards.

The recommended change to 704 KAR 3:305 as required in SB 43 is the addition of new language in Section 7 to use of the term “alternative high school diploma” beginning with the graduating class of 2013. The prior references to “certificate” and “certificate of attainment” have been deleted using strike-throughs.

Also, in order to clean up a mistake in the regulation, on page 3, line 20, the word “science” replaces “health”.

Impact on Getting to Proficiency:

The change from a certificate of attainment to alternative high school diploma more appropriately recognizes the achievement of students participating in the alternate assessment program.

Beyond the change SB 43 requires from the use of the term certificate of attainment to alternative high school diploma, this action could also provide an opportunity in the future to be responsive to concerns from the field that could make education for students with the most significant cognitive disabilities, and their readiness to transition to postsecondary life even more meaningful (e.g., flexibility in high school programming to allow students to pursue more career training, while continuing to meet academic standards; a range of curricular options critical to successful transition; etc.).

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